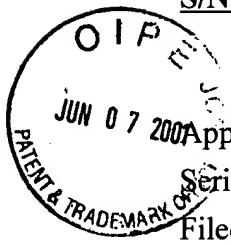


EXPEDITED PROCEDURE - EXAMINING GROUP 3762

S/N 09/316,515

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David B. Krig et al. Examiner: George R. Evanisko
Serial No.: 09/316,515 Group Art Unit: 3762
Filed: May 21, 1999 Docket: 279.112US1
Title: METHOD AND APPARATUS FOR TREATING IRREGULAR
VENTRICULAR CONTRACTIONS SUCH AS DURING ATRIAL
ARRHYTHMIA

AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116

Box RCE
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant has reviewed the final Office Action mailed March 2, 2001. Applicant responds as follows.

This amendment and response is timely if filed by June 2, 2001 (a Saturday). Pursuant to 37 C.F.R. § 1.7, the amendment and response is timely if filed by the following business day, June 4, 2001 (a Monday).

REMARKS

Applicant has reviewed and considered the Office Action mailed on March 2, 2001, and the references cited therewith. Claims 1 - 91 are pending in this application.

§102 Rejection of the Claims

In the Office Action, claims 1 - 3, 26, 27, 58, 59, 63, 88, 89 and 91 were rejected under 35 USC § 102(e) as being anticipated by Hill (U.S. Patent No. 5,814,085). Applicant respectfully traverses the rejection on several grounds. "For a prior art reference to anticipate in terms of 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference." (emphasis added). *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990).

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